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McManus Announces Legal Birth Definition Act Headed to full House

(LANSING) – Legislation sponsored by state Senator Michelle McManus, R-Lake Leelanau, seeking to protect infants by clearly establishing the point at which they become legally protected individuals passed the House Committee on Family and Children Services today.

Senate Bill 395 establishes that legal birth, when legal personhood and rights commence for a human being, is at the point at which any part of the live child has been delivered outside their mother's body.

“There is a rational basis for the state to declare a partially born child to be 'legally born,’” McManus said. “Current law fails to provide clear legal protections to children as they are being born. While *Roe v. Wade* is the law of the land, it is vital to clarify the difference between “born” and “unborn” children, as the state clearly has a compelling interest in protecting the life of a born person.”

In *Roe v. Wade* and the legal decisions that follow it, the Supreme Court established that a fully born child is afforded full constitutional rights, and that child within her mother is not a legally-protected person. In the majority opinion of *Roe v. Wade* and subsequent decisions, the Supreme Court never defined “unborn;” nor did it bar the states from defining “born.” Senate Bill 395 clarifies this ambiguity, establishing a bright line between when pregnancy ends and birth begins.

“This legislation represents a landmark in pro-life legislative efforts,” McManus said. “It presents a new way to protect humans at their most vulnerable moments of life.”

SB 395 awaits consideration from the full House.